

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

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May 13, 2013

Charles R. Diard Jr.  
U.S. District Court  
113 SAINT JOSEPH ST  
STE 123  
MOBILE, AL 36602

Appeal Number: 13-11168-FF  
Case Style: Nona Bandy v. Midland Funding, LLC  
District Court Docket No: 1:12-cv-00491-KD-C

The enclosed copy of the Clerk's Entry of Dismissal for failure to prosecute in the above referenced appeal is issued as the mandate of this court. See 11th Cir. R. 41-4. Pursuant to 11th Cir. R. 42-2(c) and 42-3(c), when an appellant fails to timely file or correct a brief or record excerpts, the appeal shall be treated as dismissed on the first business day following the due date. This appeal was treated as dismissed on 04/30/2013.

Counsel and pro se parties are advised that pursuant to Fed.R.App.P. 25(a)(2)(A), a motion to set aside the dismissal and remedy the default "is not timely unless the clerk receives the papers within the time fixed for filing."

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Janet K. Spradlin, FF  
Phone #: (404) 335-6178

Enclosure(s)

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 13-11168-FF

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NONA BANDY,

Plaintiff - Appellant,

versus

MIDLAND FUNDING, LLC,

Defendant - Appellee.

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Appeal from the United States District Court  
for the Southern District of Alabama

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ENTRY OF DISMISSAL: Pursuant to the 11th Cir.R. 42-2(c), this appeal is hereby  
DISMISSED for want of prosecution because the appellant Nona Bandy has failed to file an  
appellant's brief and record excerpts within the time fixed by the rules, effective May 13, 2013.

JOHN LEY  
Clerk of Court of the United States Court  
of Appeals for the Eleventh Circuit

by: Janet K. Spradlin, FF, Deputy Clerk

FOR THE COURT - BY DIRECTION